



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/195,852	11/19/1998	SEAN HANDEL	AC980009	4752

29838 7590 05/23/2002

OPPENHEIMER WOLFF & DONNELLY, LLP (ACCENTURE)  
1400 PAGE MILL ROAD  
PALO ALTO, CA 94304

EXAMINER

CHANNAVAJJALA, SRIRAMA T

ART UNIT PAPER NUMBER

2177

DATE MAILED: 05/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/195,852

Applicant(s)

HANDEL ET AL.

Examiner

Srirama Channavajjala

Art Unit

2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 April 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-2,5-6,8-12,15-16,18-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,5,6,8-12,15,16,18 and 19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 24.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### **Response to Amendment**

1. Examiner acknowledges applicant's amendment, filed on 4/16/2002, paper no.26.
2. Claim 16 have been amended, paper no. # 26.
3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on December 20, 2001 has been entered, paper no. # 19, the Amendment filed on 12/20/2001 paper no. # 18 has been entered, and a non-final Office action, paper no. # 22 as stated below.
4. Claims 1-2,5-6,8-12,15-16,18-19 are remain pending in this application.
5. Claims 1-2,5-6,8-12,15,18-19 have been amended, paper no. # 18
6. Claims 3-4,7,13-14,17, and 20 have been canceled, paper no. # 18.
7. The request filed on October 30, 2000 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on Application No. 09/195,852 is acceptable and a CPA has been established, paper no. # 12.
8. Examiner acknowledges Applicant's Amendment, paper no. # 8, dated May 18, 2000 and corresponding final office action paper no. # 9, dated 7/30/2000.
9. Claims 1,10-12 have been amended, paper no. # 8

Art Unit: 2177

10. Claim 20 has been added, paper no. # 8.

11. In view of the Applicant's "REMARKS" paper no. # 8, page 4, line 8-18, the rejection to Claims 5, 7, 15 and 17 under 35 USC 112, first paragraph as set in the previous office action [paper no. # 7] is hereby withdrawn.

### ***Drawings***

12. Examiner acknowledges applicant's formal drawings filed on 4/16/2002, paper no. 27.

### ***Information Disclosure Statement***

13. Examiner acknowledges PTO-1449, paper no. # 10 and 11, a copy of the PTO-1449 herewith enclosed along with the office action, paper no. # 14. [see attached PTO-1449].

14. Examiner acknowledges PTO-1449, filed on 3/12/2002, paper no.24 [including supplemental information disclosure statement, paper 23], it is however, noted that both paper no. 23 and 24 contents are exactly same, therefore, examiner considered only paper no. # 24, a copy of PTO-1449 herewith enclosed with this office action, paper no. # 29.

Art Unit: 2177

Examiner has not considered, the following "other documents" because Examiner has not received, further applicant hereby required to provide these documents in response to this office action, paper no. 29 for further consideration.

- a) Clausnitzer et al., ' on the application of parallel database technology for large scale document management systems '
- b) Cooper, "more than just hits"
- c) Maes, "Agents that reduce work and information overload"
- d) Ng, "card Companies are testing the many applications of smart cards for travel and entertainment"
- e) Shapira et al. 'stereotypes in information filtering systems '.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

15. Claims 1-2,5-6,8-12,15-16,18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chrabaszez, US Patent No. 6202083 in view of Harris et al., [hereafter Harris], US Patent No. 6331972.

16. As to Claims 1,10-11, Chrabaszez teaches a system which including 'obtaining user profile information' [see fig 5, element 500, col 4, line 42-45, col 5, line 30-33], examiner interpreting user profile information corresponds to Chrabaszez's fig 5, element 500, "obtaining at least one activity from a user device, and wherein an activity

Art Unit: 2177

is a calendar, email, contact list, task list or note' [fig 2, element 223, col 4, line 17-24], Chrabaszez teaches for example news element 206, sports element 208 and community information element 210 is available in public space element 202 as detailed in fig 2, also it is noted that Chrabaszez specifically teaches for example client 110 is operated by user element 112, client 114 is operated by user element 16 and like , examiner interpreting user device corresponds to element 110, 114, 118 as detailed in col 3, line 33-37, 'storing the user profile information and the activity in a centralized, internet accessible database' [col 3, line 38-46, line 54-56, col 4, line 42-51, line 64-67], examiner interpreting internet accessible database corresponds to Chrabaszez's fig 1, 'providing a user access to the database from an Internet enabled device for allowing the user to alter the user profile information and to access the activity' [col 4, line 42-44, line 59-63], Chrabaszez specifically teaches for example users has the ability to delete, update, groups or members, also teaches updating mechanism element 308; 'receiving permission from the user' [col 5, line 37-43], 'access a public subset of the user profile information' [fig 2, element 202, col 3, line 54-59], "public subset of the usr profile information on the database' [col 3, line 54-64], 'synchronizing the database and an internet enabled device so that the database and the internet enabled device both contain the content and the activities previously stored either on the internet enabled deice or on the database' fig 2, col 3, line 45-53], Chrabaszez teaches for example clients, elements 110, 114, and 118 accessing the network element 110 requesting information from a server such as detailed in fig 1, element 102, each client or sever is treated as database, it is however noted that Chrabaszez does not teach 'third party

Art Unit: 2177

access', 'third party related to the activity', 'internet enabled device'. On the other hand, Harris teaches a system which including 'third party access' [col 26, line 46-50, line 66-67, col 27, line 1-5], examiner interpreting third party corresponds to Harris's financial institution, 'third party related to the activity' [col 26, line 40-59, see fig 31-32], 'internet enabled device' [col 3, line 60-67, col 10, line 32-37].

It would have been obvious one of the ordinary skill in the art at the time of applicant's invention to incorporate the teachings of Harris et al. into updating a wallpaper for computer display, which operates on a server attached to a computer network of Chrabaszez because they are both directed to personalized collection of items [see Chrabaszez, Abstract; Harris, Abstract]. One of ordinary skill in the art at the time of the invention would have been motivated to modify the Chrabaszez's reference, more specifically modifying fig 3, especially element 304 to incorporate the teachings of Harris's fig 31, element 480 because that would have allowed users of Chrabaszez's computer network to improving registration mechanism for groups or members, more specifically third party accessing personal profile for user information on user's interests, while preserving the user's security rights [see Chrabaszez, col 4, line 43-51], bringing the advantages of interactive personal data storage and transaction device, improving user input and output capabilities [see Harris, col 1, line 15-20].



Art Unit: 2177

17. As to Claims 2, 12, Harris details a system which including 'third party is a merchant utilizing the user profile information for offering a personalized service to the user' [see fig 31-32, col 26, line 44-50].

18. As to Claims 5 and 15, Harris details a system which including 'updating a third party application based on a change in the user profile information' [col 26, line 66-67, col 27, line 1-9].

19. As to Claims 6 and 16, Harris details a system which including 'storing rules in the database indicative of information usage in the user profile information' [col 25, line 26-36, table I, col 27, line 21-30].

20. As to Claims 8 and 18, Harris details a system which including 'the profile information is grouped in an optimal manner for a third party target application' [col 27, line 2-9].

21. As to Claims 9 and 19, Harris details a system which including 'Internet enabled device is a 'telephone, television, computer, smart card, pocket organizer, personal digital assistant' [fig 2, element 48, fig 3, element 48, fig 15, element 121, 191, fig 13, element 127, col 3, line 60-63, col 4, line 25-26].

***Response to Arguments***

Applicant's arguments filed on 4/16/2002, have been fully considered, but they are not persuasive. For the Examiner's response to the Applicant's arguments, see the discussion given below:

a) At page 3, line 14-16, Claims 1,2,5,6,8-12,15-16,18-19, Chrabaszez does not disclose or suggest any of the limitations of applicant's invention of sharing a user interface that is available from any Internet enabled device....

As to the argument a) Examiner disagree with the applicant because firstly, Chrabaszez directed to a distributed computer system that has graphical user interface [see col 1, line 13-14], more specifically in a client-server connected through a network environment as detailed in fig 1, secondly, Chrabaszez specifically suggests for example network fig 1, element100 such as Ethernet or Token ring, and wide area networks [see col 3, line 22-26], such as the Internet, further Chrabaszez provides basic definition(s) of various terms used such as network, website and like as detailed in col 2, line 40-44, line 59-62, thirdly, in the office action, examiner clearly stated that user profile information corresponds to Chrabaszez's fig 5, element 500 , further it is noted that Chrabaszez teaches sharing information such as canoe club element 218, family reunion element 222 includes member list element 223 which contains a list of members that can access information from family reunion element 122 as detailed in

col 4, line 9-16, therefore, Chrabaszez teaches sharing information that is available from any internet enabled device specifically related to user's internet.

b) At page 4, line 1-4, applicant's invention offers the user a single centralized user profile that is easily accessible from anywhere.....

As to the argument b) Examiner notes from the prior art of Chrabaszez's computer system's graphical user interface allows user to control the operation mechanism such as registration, fetching, updating, navigating mechanism(s) and like as detailed in col 4, line 64-67.

c) At page 4, line 10-12, the user is able to set up the user profile so that a subset of the profile information can be shared with third parties.....

As to the argument c) Examiner notes that the prior art of Chrabaszez specifically directed to set up user's profile or personal profile that contains user of server, user ID, list of topics, history profile, list of clubs and like as detailed in fig 5, col 5, line 30-45, however, it is noted that Chrabaszez does not specifically teach 'third party access', although Chrabaszez suggests network environment such as Internet and like. On the other hand Haris suggests 'third party access [see col 26, line 46-50, line 66-67, col 27, line 1-5]. Applicant agree with examiner that "it is true that Harris et al. discloses remote or third party access to a system" [see page 5 of 8, line 11-12]

It would have been obvious one of the ordinary skill in the art at the time of the invention would have been motivated to modify Chrabazez's teachings to incorporate the third party access of Harris because that would have allowed users of Chrabaszez to receive relevant information from the third parties based on user profile.

d) At page 5, line 28-29, Harris et al. fails to disclose or suggest the accessing of a central database to access user profile information..

As to the argument d) Examiner disagree with the applicant because firstly, Harris is directed to personalizing the electronic device through a personal area network such as detailed in fig 1, col 6, line 21-45, Abstract, secondly, Harris et al. also teaches for example user interface as detailed in col 20, line 48-55, thirdly, Harris teaches database capable of storing, retrieving and navigation through data as detailed in col 20, line 60-65, further Harris suggests for example selecting specific data from the database and transmit it to one or more third parties over a network as detailed in col 20, line 66-67, col 21, line 1-3.

***Conclusion***

**The prior art made of record**

- a. US Patent No. 6202083
- b. US Patent No. 6331972

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure

- c. US Patent No. 6104334

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srirama Channavajjala whose telephone number is (703) 308-8538. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:30 PM Eastern Time. The TC2100's Customer Service number is (703)306-5631.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene, can be reached on (703) 305-9790. The fax phone numbers for the organization where the application or proceeding is assigned are as follows:

703/746-7238	(After Final Communication)
<b>703/746-7239</b>	<b>(Offical Communications)</b>
703/746-7240	(For Status inquiries, draft communication)
(703)308-6607	(Art Unit)

Any inquiry of general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703)305-9600.

  
Srirama Channavajjala  
Patent Examiner.  
May 21, 2002.